

Abolition of Minor Municipalities.

MR. K. C. MAMMEN MAPPILLAI :

"This Council recommends to the Government that all Municipalities in the State except those of Kottayam, Alleppey, Quilon, Trivandrum and Nagercoil be abolished."

Improvement of the Main Central Road.

MR. K. C. MAMMEN MAPPILLAI :

"This Council recommends to the Government that the Main Central Road throughout its length be raised above flood level, and be well metalled, and that such other step as may be deemed desirable be taken to protect the road from damage by flood or rains."

Postponement of the Operation of the Civil Courts' Guide.MR. M. R. MADHAVA VARIAR (*Chengannur cum Pattanam-titta*): Sir, I beg to move that:

"This Council recommends to the Government that the operation of the new Civil Courts' Guide published under the authority of the Government be suspended till the new Civil Procedure Bill becomes law."

The High Court of Travancore, with the approval of the Government, have published a new *Civil Courts' Guide* and it has come into operation from the 1st Vrischikam this year. From the short experience of the working of this Guide the people have begun to feel annoyed at the circuitous procedure prescribed by the High Court. Most of the provisions of this Guide are borrowed from the *Madras Civil Courts' Guide*. In British India, the authorities do feel that the procedure followed in the civil courts creates unnecessary delay and the Viceroy in a speech at Calcutta dwelt upon the necessity of simplifying the procedure. When the authorities in British India are dissatisfied with the procedure followed there and when they contemplate to simplify the procedure, we make bold to copy those provisions which they consider obnoxious. The High Court have thought it fit to eschew certain provisions in the *Madras Civil Courts' Guide* which are advantageous to the litigant public. To quote one instance, it is ruled in our *Civil Courts' Guide* that every interlocutory application is to be supported by an affidavit. According to the definition of interlocutory application in the Guide all applications come under the category. Even an application for adjournment is an interlocutory application. If a client is absent on a day when the case is posted for evidence, the vakil will have to put in an application for adjournment together with an affidavit. Those who are intimately connected with courts know that even for the attestation of the affidavit the client will have to spend a small amount. This provision is responsible for the waste of money and stationery. Another provision in the Guide is that the clients will have to put in their applications for adjournment three days before the date of hearing. Many forms are prescribed simply to add to the work of vakil *gumastas* and clerks of the court. By the introduction of the *Civil Courts' Guide*, higher rates of batta, mileage and process fees are fixed. Only the maximum is fixed and the minimum is not mentioned and no discretion is left to the courts to fix a minimum. Some provisions of the Guide contravene the sections of the Civil Procedure Code. For example,